

IPW/1635



[12013/56301]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s) : **Maria PALASIS**  
Serial No. : **09/542,935**  
Filed : **April 4, 2000**  
For : **INSERTABLE OR IMPLANTABLE MEDICAL DEVICES  
SUITABLE FOR GENE THERAPY REGIMES**  
Examiner : **Brian A. Whiteman**  
Art Unit : **1635**

**MAIL STOP: AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450 Arlington, VA 22313-1450

Date: *April 26, 2005* Reg. No. 42,226

Signature: *Elizabeth M. Wieckowski*  
Elizabeth M. Wieckowski

**TRANSMITTAL**

SIR:

Transmitted herewith for filing in the above-identified application is a Response to a Notice of Non-Compliant Amendment mailed on April 7, 2005.

No fee is believed to be required. However, if any fee is required, the Commissioner is authorized to charge Deposit Account No. **11-0600** for such fee. A duplicate of this transmittal letter is enclosed for that purpose.

Respectfully Submitted,  
**KENYON & KENYON**

Dated: April 26, 2005

By: *Elizabeth M. Wieckowski*  
Elizabeth M. Wieckowski  
Reg. No. 42,226

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[Attorney Docket: 12013/56301]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor : Maria PALASIS

Art Unit : 1635

Serial No.: 09/542,935

Examiner : B. Whiteman

Filing Date: April 4, 2000

For: Insertable or Implantable Medical Devices  
Suitable for Gene Therapy Regimens

MAIL STOP: AMENDMENT  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Date: April 26, 2005 Reg. No.42,226

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Elizabeth M. Wieckowski

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

SIR:

This Response is submitted in reply to the Notice of Non-Compliant Amendment (hereinafter "Notice") mailed on April 7, 2005. A response is due one month from the mailing of the Notice, *i.e.*, by May 7, 2007. Accordingly, this Response is being timely filed. The Notice indicates that each claim has not been provided with a proper status identifier, and indicates that the improper status identifier "previously amended" is used. Applicant submits herewith a complete listing of the claims, each with a proper status identifier, in response to the Notice. Applicant respectfully requests entry of the present Amendment in the above-identified case.

Please amend the above-identified application as follows: